

Thompson (CA)	Visclosky	Wicker
Thompson (MS)	Walden (OR)	Wilson (NM)
Thornberry	Walsh	Wilson (SC)
Tiahrt	Wamp	Wolf
Tiberi	Weldon (FL)	Wu
Tierney	Weldon (PA)	Young (AK)
Turner	Weller	Young (FL)
Udall (CO)	Westmoreland	
Upton	Whitfield	

## NAYS—95

Abercrombie	Holt	Owens
Ackerman	Honda	Pallone
Andrews	Hoyer	Pastor
Baldwin	Israel	Payne
Becerra	Jackson (IL)	Price (NC)
Berman	Jackson-Lee	Rangel
Blumenauer	(TX)	Ros-Lehtinen
Brady (PA)	Jones (OH)	Roybal-Allard
Capps	Kilpatrick (MI)	Rush
Capuano	Kolbe	Sabo
Carson	Kucinich	Sánchez, Linda
Cleaver	Lee	T.
Conyers	Lewis (GA)	Schakowsky
Crowley	Lofgren, Zoe	Scott (GA)
Cummings	Lowey	Scott (VA)
Davis (IL)	Lynch	Serrano
DeGette	Maloney	Sherman
Delahunt	Markey	Solis
Diaz-Balart, L.	Matsui	Stark
Diaz-Balart, M.	McCollum (MN)	Towns
Dingell	McDermott	Udall (NM)
Doyle	McGovern	Van Hollen
Emanuel	McKinney	Velázquez
Engel	Meek (FL)	Wasserman
Evans	Meeks (NY)	Schultz
Farr	Millender	Waters
Fattah	McDonald	Watson
Filner	Miller, George	Watt
Frank (MA)	Moore (WI)	Waxman
Grijalva	Nadler	Weiner
Gutierrez	Napolitano	Wexler
Hastings (FL)	Neal (MA)	Woolsey
Hinchey	Oliver	Wynn

## NOT VOTING—9

Case	Harris	Moore (KS)
Cubin	Hyde	Ney
Eshoo	Meehan	Strickland

□ 1402

Mr. ISRAEL changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# APPOINTMENT OF CONFEREES ON H.R. 5631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

Mr. YOUNG of Florida. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. KUHLMAN of New York). Without objection, the Chair appoints the following conferees: Messrs. YOUNG of Florida, HOBSON, BONILLA, FRELINGHUYSEN, TIAHRT, WICKER, KINGSTON, Ms. GRANGER, Messrs. LAHOOD, LEWIS of California, MURTHA, DICKS, SABO, VISCLOSKEY, MORAN of Virginia, Ms. KAPTUR, and Mr. OBEY.

There was no objection.

# MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 5631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. YOUNG of Florida. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and the Senate on H.R. 5631 be closed to the public at such times as classified national security information may be broached, providing that any sitting Member of the Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 12, not voting 9, as follows:

[Roll No. 466]

## YEAS—411

Abercrombie	Cardin	Feeney
Ackerman	Cardoza	Ferguson
Aderholt	Carnahan	Filner
Akin	Carson	Fitzpatrick (PA)
Alexander	Carter	Flake
Allen	Castle	Foley
Andrews	Chabot	Forbes
Baca	Chandler	Ford
Bachus	Chocola	Fortenberry
Baird	Clay	Fossella
Baker	Cleaver	Fox
Baldwin	Clyburn	Frank (MA)
Barrett (SC)	Coble	Franks (AZ)
Barrow	Cole (OK)	Frelinghuysen
Bartlett (MD)	Conaway	Galleghy
Barton (TX)	Conyers	Garrett (NJ)
Bass	Cooper	Gerlach
Bean	Costa	Gibbons
Beauprez	Costello	Gilchrest
Becerra	Cramer	Gillmor
Berkley	Crenshaw	Gingrey
Berman	Crowley	Gohmert
Berry	Cuellar	Gonzalez
Biggert	Culberson	Goode
Bilbray	Cummings	Goodlatte
Bilirakis	Davis (AL)	Gordon
Bishop (GA)	Davis (CA)	Granger
Bishop (NY)	Davis (FL)	Graves
Bishop (UT)	Davis (IL)	Green (WI)
Blackburn	Davis (KY)	Green, Al
Blunt	Davis (TN)	Green, Gene
Boehlert	Davis, Jo Ann	Grijalva
Boehner	Davis, Tom	Gutierrez
Bonilla	Deal (GA)	Gutknecht
Bonner	DeFazio	Hall
Bono	DeGette	Harman
Boozman	Delahunt	Hart
Boren	DeLauro	Hastings (FL)
Boswell	Dent	Hastings (WA)
Boucher	Diaz-Balart, L.	Hayes
Boustany	Diaz-Balart, M.	Hayworth
Boyd	Dicks	Hefley
Bradley (NH)	Dingell	Hensarling
Brady (PA)	Doggett	Herger
Brady (TX)	Doolittle	Herseth
Brown (OH)	Doyle	Higgins
Brown (SC)	Drake	Hinojosa
Brown, Corrine	Dreier	Hobson
Brown-Waite,	Duncan	Hoekstra
Ginny	Edwards	Holden
Burgess	Ehlers	Holt
Burton (IN)	Emanuel	Honda
Butterfield	Emerson	Hooey
Buyer	Engel	Hostettler
Calvert	English (PA)	Hoyer
Camp (MI)	Eshoo	Hulshof
Campbell (CA)	Etheridge	Hunter
Cannon	Evans	Hyde
Cantor	Everett	Inglis (SC)
Capito	Farr	Inslee
Capuano	Fattah	Israel

Issa	Miller (MI)	Sanders
Istook	Miller (NC)	Saxton
Jackson (IL)	Miller, Gary	Schiff
Jackson-Lee	Miller, George	Schmidt
(TX)	Mollohan	Schwartz (PA)
Jefferson	Moore (WI)	Schwarz (MI)
Jenkins	Moran (KS)	Scott (GA)
Jindal	Moran (VA)	Scott (VA)
Johnson (CT)	Murphy	Sensenbrenner
Johnson (IL)	Murtha	Serrano
Johnson, E. B.	Musgrave	Sessions
Johnson, Sam	Myrick	Shadegg
Jones (NC)	Nadler	Shaw
Jones (OH)	Napolitano	Shays
Kanjorski	Neal (MA)	Sherman
Kaptur	Neugebauer	Sherwood
Keller	Northup	Shimkus
Kelly	Norwood	Shuster
Kennedy (MN)	Nunes	Simmons
Kennedy (RI)	Nussle	Simpson
Kildee	Oberstar	Skelton
Kilpatrick (MI)	Obey	Slaughter
Kind	Oliver	Smith (NJ)
King (IA)	Ortiz	Smith (TX)
King (NY)	Osborne	Smith (WA)
Kingston	Otter	Snyder
Kirk	Owens	Sodrel
Kline	Oxley	Solis
Knollenberg	Pallone	Souder
Kolbe	Pascarella	Spratt
Kuhl (NY)	Pastor	Stearns
LaHood	Paul	Stupak
Langevin	Payne	Sullivan
Lantos	Pearce	Sweeney
Larsen (WA)	Pelosi	Tancred
Larson (CT)	Pence	Tanner
Latham	Peterson (MN)	Tauscher
LaTourette	Peterson (PA)	Taylor (MS)
Leach	Petri	Taylor (NC)
Levin	Pickering	Terry
Lewis (CA)	Pitts	Thomas
Lewis (KY)	Platts	Thompson (CA)
Linder	Poe	Thompson (MS)
Lipinski	Pombo	Thornberry
LoBiondo	Pomeroy	Tiahrt
Lofgren, Zoe	Porter	Tiberi
Lowey	Price (GA)	Tierney
Lucas	Price (NC)	Towns
Lungren, Daniel	Pryce (OH)	Turner
E.	Putnam	Udall (CO)
Mack	Radanovich	Udall (NM)
Maloney	Rahall	Upton
Manzullo	Ramstad	Van Hollen
Marchant	Rangel	Velázquez
Markey	Regula	Visclosky
Marshall	Rehberg	Walden (OR)
Matheson	Reichert	Walsh
Matsui	Renzi	Wamp
McCarthy	Reyes	Wasserman
McCaul (TX)	Reynolds	Schultz
McCollum (MN)	Rogers (AL)	Watson
McCotter	Rogers (KY)	Watt
McCrery	Rogers (MI)	Waxman
McGovern	Rohrabacher	Weiner
McHenry	Ros-Lehtinen	Weldon (FL)
McHugh	Ross	Weldon (PA)
McIntyre	Rothman	Weller
McKeon	Roybal-Allard	Westmoreland
McMorris	Royce	Wexler
Rodgers	Ruppersberger	Whitfield
McNulty	Rush	Wicker
Meek (FL)	Ryan (OH)	Wilson (NM)
Meeks (NY)	Ryan (WI)	Wolf
Melancon	Ryun (KS)	Wu
Mica	Sabo	Wynn
Michaud	Salazar	Young (AK)
Millender-	Sánchez, Linda	Young (FL)
McDonald	T.	
Miller (FL)	Sanchez, Loretta	

## NAYS—12

Blumenauer	Lewis (GA)	Schakowsky
Hinchey	Lynch	Stark
Kucinich	McDermott	Waters
Lee	McKinney	Woolsey

## NOT VOTING—9

Capps	Harris	Ney
Case	Meehan	Strickland
Cubin	Moore (KS)	Wilson (SC)

□ 1423

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING FURTHER PROCEEDINGS TODAY

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that, during further proceedings today, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Mr. ROTHMAN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2048.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

## IMMIGRATION LAW ENFORCEMENT ACT OF 2006

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 1018, I call up the bill (H.R. 6095) to affirm the inherent authority of State and local law enforcement to assist in the enforcement of immigration laws, to provide for effective prosecution of alien smugglers, and to reform immigration litigation procedures, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6095

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Immigration Law Enforcement Act of 2006".

### TITLE I—STATE AND LOCAL LAW ENFORCEMENT COOPERATION IN THE ENFORCEMENT OF IMMIGRATION LAW ACT

#### SEC. 101. FEDERAL AFFIRMATION OF ASSISTANCE IN IMMIGRATION LAW ENFORCEMENT BY STATES AND POLITICAL SUBDIVISIONS OF STATES.

(a) IN GENERAL.—Notwithstanding any other provision of law and reaffirming the existing inherent authority of States, law enforcement personnel of a State or a political subdivision of a State have the inherent authority of a sovereign entity to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens in the United States (including the transportation of such aliens across State lines to detention centers), for the purposes of assisting in the enforcement of the immigration laws of the United States in the course of carrying out routine duties. This State authority has never been displaced or preempted by Congress.

(b) CONSTRUCTION.—Nothing in this section may be construed to require law enforcement personnel of a State or political subdivision of a State to—

(1) report the identity of a victim of, or a witness to, a criminal offense to the Secretary of Homeland Security for immigration enforcement purposes; or

(2) arrest such victim or witness for a violation of the immigration laws of the United States.

### TITLE II—ALIEN SMUGGLER PROSECUTION ACT

#### SEC. 201. EFFECTIVE PROSECUTION OF ALIEN SMUGGLERS.

(a) FINDINGS.—The Congress finds as follows:

(1) Recent experience shows that alien smuggling is flourishing, is increasingly violent, and is highly profitable.

(2) Alien smuggling operations also present terrorist and criminal organizations with opportunities for smuggling their members into the United States practically at will.

(3) Alien smuggling is a lucrative business. Each year, criminal organizations that smuggle or traffic in persons are estimated to generate \$9,500,000,000 in revenue worldwide.

(4) Alien smuggling frequently involves dangerous and inhumane conditions for smuggled aliens. Migrants are frequently abused or exploited, both during their journey and upon reaching the United States. Consequently, aliens smuggled into the United States are at significant risk of physical injury, abuse, and death.

(5) Notwithstanding that alien smuggling poses a risk to the United States as a whole, uniform guidelines for the prosecution of smuggling offenses are not employed by the various United States attorneys. Understanding that border-area United States attorneys face an overwhelming workload, a lack of sufficient prosecutions by certain United States attorneys has encouraged additional smuggling, and demoralized Border Patrol officers charged with enforcing our anti-smuggling laws.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Attorney General should adopt, not later than 3 months after the date of the enactment of this Act, uniform guidelines for the prosecution of smuggling offenses to be followed by each United States attorney in the United States.

(c) ADDITIONAL PERSONNEL.—In each of the fiscal years 2008 through 2013, the Attorney General shall, subject to the availability of appropriations, increase by not less than 20 the number of attorneys in the offices of United States attorneys employed to prosecute cases under section 274 of the Immigration and Nationality Act (8 U.S.C. 1324), as compared to the previous fiscal year.

### TITLE III—ENDING CATCH AND RELEASE ACT OF 2006

#### SEC. 301. APPROPRIATE REMEDIES FOR IMMIGRATION LITIGATION.

(a) REQUIREMENTS FOR AN ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—If a court determines that prospective relief should be ordered against the Government in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall—

(A) limit the relief to the minimum necessary to correct the violation of law;

(B) adopt the least intrusive means to correct the violation of law;

(C) minimize, to the greatest extent practicable, the adverse impact on national security, border security, immigration administration and enforcement, and public safety; and

(D) provide for the expiration of the relief on a specific date, which is not later than the earliest date necessary for the Government to remedy the violation.

(2) WRITTEN EXPLANATION.—The requirements described in paragraph (1) shall be discussed and explained in writing in the order granting prospective relief and must be suffi-

ciently detailed to allow review by another court.

(3) EXPIRATION OF PRELIMINARY INJUNCTIVE RELIEF.—Preliminary injunctive relief shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court—

(A) makes the findings required under paragraph (1) for the entry of permanent prospective relief; and

(B) makes the order final before expiration of such 90-day period.

(4) REQUIREMENTS FOR ORDER DENYING MOTION.—This subsection shall apply to any order denying the Government's motion to vacate, modify, dissolve or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(b) PROCEDURE FOR MOTION AFFECTING ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—A court shall promptly rule on the Government's motion to vacate, modify, dissolve or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(2) AUTOMATIC STAYS.—

(A) IN GENERAL.—The Government's motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief made in any civil action pertaining to the administration or enforcement of the immigration laws of the United States shall automatically, and without further order of the court, stay the order granting prospective relief on the date that is 15 days after the date on which such motion is filed unless the court previously has granted or denied the Government's motion.

(B) DURATION OF AUTOMATIC STAY.—An automatic stay under subparagraph (A) shall continue until the court enters an order granting or denying the Government's motion.

(C) POSTPONEMENT.—The court, for good cause, may postpone an automatic stay under subparagraph (A) for not longer than 15 days.

(D) ORDERS BLOCKING AUTOMATIC STAYS.—Any order staying, suspending, delaying, or otherwise barring the effective date of the automatic stay described in subparagraph (A), other than an order to postpone the effective date of the automatic stay for not longer than 15 days under subparagraph (C), shall be—

(i) treated as an order refusing to vacate, modify, dissolve or otherwise terminate an injunction; and

(ii) immediately appealable under section 1292(a)(1) of title 28, United States Code.

(c) SETTLEMENTS.—

(1) CONSENT DECREES.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court may not enter, approve, or continue a consent decree that does not comply with subsection (a).

(2) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with subsection (a) if the terms of that agreement are not subject to court enforcement other than reinstatement of the civil proceedings that the agreement settled.

(d) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion considered under this section.

(e) DEFINITIONS.—In this section:

(1) CONSENT DECREE.—The term "consent decree"—